

REMARKS

Applicant respectfully requests reconsideration of this application as amended.

Claims 1-76 are pending in the application. Claims 1-14, 35-54, 63-74 were rejected. Claims 15-34, 55-62, and 75 were objected to, but would be allowable if rewritten in independent forms. Claim 76 appears to be allowable. Drawings were objected.

In this response, claims 15, 55, and 75 have been amended. Formal drawings have been submitted herein. Applicant acknowledges with appreciation the allowance of claims 15-34, 55-62, and 75. However, at this time, Applicant elects not to place the limitations of the allowed claims into their corresponding independent claims because Applicant respectfully believes that the independent claims are in condition for allowance. No new matter has been added.

Specifically, claims 15, 55, and 75 have been amended as independent claims including substantially all limitations of their respective base and intervening claims. Claims 16-34 and 56-62 depend from claims 15 and 55 respectively. Thus, claims 15-34, 55-62, and 75 are allowable.

The Examiner rejected claims 1-2, 5, 8, 11-13, 36-44, 47, 50-53, 63-64, 67 and 70-73 under 35 U.S.C. § 102(b) as being anticipated by Sato et al (U.S. 2002/0003905). The Examiner rejected claims 3-4, 6-7, 9-10, 14, 35, 45-46, 48-49, 54, 65-66, 68-69 and 74 under 35 U.S.C. § 103(a) as being unpatentable by Sato.

It is respectfully submitted that Sato was filed April 17, 2000 and was published January 10, 2002, which is less than 12 months from the filing date (e.g., July 31, 2001) of the present application. Thus, Sato is not a 102(b) reference. Rather, Sato is at most a 102(e) reference. Applicant hereby reserves the right to swear behind Sato. It is also noted that the foreign priority dates of Sato cannot be used as priority date under 102(e) rejections since they are prior to November 29, 2000.

It is respectfully submitted that 1-14, 35-54, 63-74 include limitations that are not disclosed or suggested by Sato. Specifically, for example, independent claim 1 includes limitations of characterizing quantization noise in reconstructed data generated in response to application of an inverse wavelet transform, and removing the quantization noise from the reconstructed data constructed during decoding. It is respectfully submitted that the above limitations are absent from Sato.

Although Sato discloses reducing noise by cutting off certain low level bit planes, however, such noise is not the same as quantization noise as claimed in claim 1. The quantization noise appears when transform coefficients of similar size end up in different quantization bins after applying the quantization (see page 28 of specification of the present application).

Specifically, Sato states:

“The coefficient processor 604 computes a noise amount ϵ determined from the X-ray dosage input from the file input device 6 by a predetermined method, and then computes a lower-limit bit plane L based on equations (4) and (5).”

(Sato, paragraph [0121], emphasis added)

Thus, the noise of Sato is not the same as quantization noise as claimed in the present application. Therefore, independent claim 1 is not anticipated by and is patentable over Sato.

Similarly, independent claims 43 and 63 include limitations similar to those recited in claim 1. Thus, for the reasons similar to those discussed above, it is respectfully submitted that claims 43 and 63 are not anticipated by and are patentable over Sato. Given that the rest of the claims depend from one of the above independent claims, it is respectfully submitted that the rest of the claims are not anticipated by and are patentable over Sato. Withdrawal of the rejections is respectfully requested.

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or

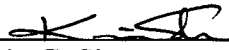
assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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AMENDMENT TO THE DRAWINGS

Formal drawings have been submitted to comply with 37 C.F.R. 1.21(d). Applicant respectfully submits that the proposed formal drawings do not add new matter.